



**UNITED STATES DEPARTMENT OF COMMERCE**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/460,974 12/15/99 HSU

T 3079/40

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MMC1/0620

EXAMINER

BROWN, G

ART UNIT

PAPER NUMBER

2858

DATE MAILED:

06/20/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.

09/460,974

Applicant(s)

HSU, TSUN-TYING

Examiner

Glenn W Brown

Art Unit

2858

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 December 1999 is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

*Glenn W. Brown*  
Glenn W. Brown  
Primary Examiner

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: .

## **DETAILED ACTION**

### ***Priority***

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Drawings***

The drawings are objected to because of the following informalities:

1) In Fig. 2, the block element 6 is not labeled to properly identify what the element represents. Therefore, a label such as –MEMORY—should be inserted within the block.

2) In Fig. 4, this figure should be labeled –PRIOR ART—because that which is known in the art is shown in the drawing.

Correction is required.

### ***Specification***

The disclosure is objected to because of the following informalities:

On p. 1:

Line 6, “a” should be –an–.

Lines 7-8, “due to increment of voltage of battery” does not read clearly.

Lines 13-14, since the sentence therein is a fragment sentence.

Line 14, “The convention way” does not read clearly.

Line 17, “The” should not be capitalized.

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Lines 17-19, the sentence therein is a run-on sentence, moreover, it should be amended.

Lines 18-19, the meaning of the phrase "power can not be supplied as the oil..." is unclear.

Line 20, it is unclear what the phrase "from the outlook" is referring to.

Line 21, before "current" the word --a-- is missing.

Line 22, "in the midway" is unclear.

Line 23, the meaning of "exhaustion of power from a fault indication" is unclear. It is also unclear how a fault indication will exhaust power. It is also unclear what the fault is referring to and where it comes from.

Lines 28-29, "in order to avoid as the power is exhausted in the midway" does not read clearly.

On p. 2:

Line 3, "are" (both occurrences) should be --is--.

Lines 4-5, the meaning of the sentence therein is unclear and is confusing.

Lines 24-27, the sentence contained therein is unclear.

On p. 3:

Line 14, "Figs. 1 and 2" should be changed to --Fig. 1--since only this figure is described at this point in the specification.

Line 20, the term "responded" is unclear.

Line 30-31, the meaning of "detects to conduct the control switch 32 so that the electric measuring wire 1 conduct" is unclear.

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On p. 4:

Line 2, "user" should be changed to --the user--.

Lines 2-3, since the sentence therein is a fragment sentence.

Lines 9-10, the phrase "due to an error of electric quantity" is unclear as to whether there is an error in the measurement or if the measured quantity does not meet certain predetermined criteria.

Line 10, "the real the electric quantity" is unclear.

Line 13, the "meter 4" should be defined by a different reference number since the meter from Fig. 1 is a different type of meter and it is connected in the circuit differently from the way in which the meter is connected in Fig. 2.

Line 15, "with respective an A/D converters" is unclear.

Line 18, "can response" does not read clearly.

Line 19, "must used" does not read clearly.

Lines 20-21, the sentence therein does not read clearly.

Line 22, "increases" is misspelled.

Line 25, the meaning of "reset REST" is unclear.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

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The following is a quotation of 37 CFR 1.71(a)-(c):

- (a) The specification must include a written description of the invention or discovery and of the manner and process of making and using the same, and is required to be in such full, clear, concise, and exact terms as to enable any person skilled in the art or science to which the invention or discovery appertains, or with which it is most nearly connected, to make and use the same.
- (b) The specification must set forth the precise invention for which a patent is solicited, in such manner as to distinguish it from other inventions and from what is old. It must describe completely a specific embodiment of the process, machine, manufacture, composition of matter or improvement invented, and must explain the mode of operation or principle whenever applicable. The best mode contemplated by the inventor of carrying out his invention must be set forth.
- (c) In the case of an improvement, the specification must particularly point out the part or parts of the process, machine, manufacture, or composition of matter to which the improvement relates, and the description should be confined to the specific improvement and to such parts as necessarily cooperate with it or as may be necessary to a complete understanding or description of it.

The specification is objected to under 37 CFR 1.71 because of the number and nature of informalities as described above. Also, the specification does not adequately define what the measured electrical quantity is. Also, the specification does not clearly define where this electrical quantity comes from and what ultimately is being tested. Even the title seems to indicate that electric quantity is indicative of some parameter of the electromotive vehicle. However, the specification seems to possibly suggest that it is the battery that is ultimately tested.

The specification is also unclear how the feedback circuit is capable of performing a detection function as suggested by claim 1.

Also, the function of address dividing a value in memory is unclear and is not clearly defined in the specification. This function is claimed in claim 3.

The specification is further deficient in that the disclosure does not indicate any charging of the battery or anything about a charging saturation value, aspects which are claimed in claims 5 and 6.

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Claims 1-6 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. See the above description of the deficiencies in the specification.

Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 6, the term "responded" is unclear. In lines 6-7, it is unclear how the meter is connected with the rest of the apparatus. In lines 8-9, "the feedback circuit will detect" is unclear since feedback circuits do not normally perform the function of detecting. Also, it is unclear what is being detected. In line 9, it is unclear what the significance of the electric measuring wire being capable of "conducting" since conducting electricity is what wires do best. In line 10, the meaning of the real power storage being displayed is unclear, since "storage" is not typically displayed.

In claim 2, line 3, it is unclear whether "an electric measuring wire" is the same as the electric measuring wire as defined in claim 1.

In claim 3, lines 3-4, the aspect of the wire being "installed with" A/D converters is unclear. How is a wire installed with an A/D converter? In lines 4-5, the meaning of "address dividing a value in a memory" is unclear and should be defined more specifically.

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In claim 4, line 2, "the recording value" lacks antecedent basis. In line 3, "the voltage measurement" lacks antecedent basis. Also in line 3, the meaning of "in measuring" is unclear in its context. It is unclear how this phrase is being used in the sentence. In line 4, "it" is indefinite and should be defined more specifically in order to avoid confusion. Also in line 4, it is unclear what state the term "this state" is referring to. Claim 4 is generally unclear what is being claimed and what the metes and bounds are intended to be.

In claim 5, line 2, "the recording value" lacks antecedent basis. In lines 2-3, "is re-record a high value" is unclear. Also, the meaning of "re-record" is indefinite. In line 3, "the voltage" lacks antecedent basis.

In claim 6, line 2, "the re-record high value" is unclear and lacks antecedent basis. In line 3, it is unclear whether "a battery" is the same as the battery claimed earlier.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.




Claims 1-6 are rejected under 35 U.S.C. 102(a) (b) and/or (e) as being anticipated by any one of Lomholt, Eguchi, and Harvey.

As best as the Examiner can determine from the claims of the present invention, the references to Lomholt, Eguchi, and Harvey each disclose all of the aspect of the present invention. A battery, load, and detection branch are connected in parallel, and a control signal is fed back from the load to the detection branch to switch the detector in the detection branch on in order to allow the detection of voltage across the battery being applied to the load.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Glenn W Brown whose telephone number is 305-4771. The examiner can normally be reached on 4-5-9.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 306-3431.

  
Glenn W Brown  
Primary Examiner  
Art Unit 2858

GWB  
June 15, 2001

**Attachment for PTO-948 (Rev. 03/01, or earlier)**  
**6/18/01**

**The below text replaces the pre-printed text under the heading, "Information on How to Effect Drawing Changes," on the back of the PTO-948 (Rev. 03/01, or earlier) form.**

**INFORMATION ON HOW TO EFFECT DRAWING CHANGES**

**1. Correction of Informalities -- 37 CFR 1.85**

New corrected drawings must be filed with the changes incorporated therein. Identifying indicia, if provided, should include the title of the invention, inventor's name, and application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and centered within the top margin. If corrected drawings are required in a Notice of Allowability (PTOL-37), the new drawings **MUST** be filed within the **THREE MONTH** shortened statutory period set for reply in the Notice of Allowability. Extensions of time may NOT be obtained under the provisions of 37 CFR 1.136(a) or (b) for filing the corrected drawings after the mailing of a Notice of Allowability. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

**2. Corrections other than Informalities Noted by Draftsperson on form PTO-948.**

All changes to the drawings, other than informalities noted by the Draftsperson, **MUST** be made in the same manner as above except that, normally, a highlighted (preferably red ink) sketch of the changes to be incorporated into the new drawings **MUST** be approved by the examiner before the application will be allowed. No changes will be permitted to be made, other than correction of informalities, unless the examiner has approved the proposed changes.

**Timing of Corrections**

Applicant is required to submit the drawing corrections within the time period set in the attached Office communication. See 37 CFR 1.85(a).

Failure to take corrective action within the set period will result in **ABANDONMENT** of the application.